THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 3485 of 1999

Date:25.08.2005

Between:

Sai Suresh Rami Setty.

..... PETITIONER

AND

The General Manager, Chittoor District Co.operative Central Bank Limited, Chittoor District & others.

....RESPONDENTS

The Court made the following order:

This writ petition is filed seeking a direction to the first respondent to recruit the petitioner to the post of Category-III officer under the visually handicapped quota as per the notification dated 22.07.1998.

Respondent-Bank issued notification on 22.07.1998 inviting applications from the eligible candidates for direct recruitment of Category III Officers. It notified 09 vacancies. Out of which, one post was reserved for visually handicapped. The grievance of the petitioner is that though he applied for the said post under Visually Handicapped quota by enclosing a medical certificate to that effect, first respondent without considering his application appointed the second respondent under the said quota.

In the counter affidavit filed on behalf of the respondent-Bank, it is stated that there was an error in the notification as to mentioning of one post for visually

handicapped instead of mentioning one post for visually handicapped women; and as per the G.O.Ms.No.72, Women Development and Child Welfare (WH Desk) Department, dated 05.08.1997, the said vacancy has to be reserved for visually handicapped women.

Though it was not stated in the notification that one vacancy was reserved for visually handicapped women, but in the counter affidavit filed on behalf of the respondent-Bank, it was fairly conceded that there was an error as to mentioning of one post for visually handicapped instead of mentioning one post for visually handicapped women. It is not in dispute that pursuant to the notification dated 22.07.1998, the second respondent was appointed under the visually handicapped quota reserved for women. Though an error has crept in the notification, the second respondent was appointed under the visually handicapped quota reserved for women. In that view of the matter, I do not find any ground to disturb the appointment of the second respondent at this point of time.

Accordingly, the writ petition is dismissed. No order as to costs.

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25.08.2005

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